

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

THEODORE W. SMITH, III,	:	
Plaintiff,	:	
	:	Case No. 3:09cv00482
	:	
vs.	:	District Judge Thomas M. Rose
	:	Magistrate Judge Sharon L. Ovington
MARTIN K. GREENWALD, et al.,	:	
	:	DECISION AND ENTRY
Defendants.	:	
	:	

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #37), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on July 1, 2011 (Doc. #37) is ADOPTED in full;
2. Defendants Motion for Summary Judgment (Doc. #32) is GRANTED; and
3. The case is terminated on the docket of this Court.

July 19, 2011	s/Thomas M. Rose <hr style="width: 80%; margin: 5px auto;"/> <div style="text-align: center;">Thomas M. Rose United States District Judge</div>
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Copies furnished to:

Counsel of record
Theodore W. Smith III at his last address of record